

From: [Spisak, Alex](#)
To: [Hill, Kevin W.](#)
Cc: [Richmond, Jonah](#); [Wooge, William](#)
Subject: RE: EPA-2020-004487 Need More Information - Please Reply by Sept. 15
Date: Tuesday, September 8, 2020 3:04:02 PM

Mr. Hill,

I hope you had a nice holiday weekend.

I write to respond to your two letters of August 26, 2020 requesting clarification of my Freedom of Information ACT Request ("FOIA") numbers EPA-2020-004486 ("4486") and EPA-2020-004487 ("4487").

As an initial matter, and as you note in the letter for case file 4487, this FOIA request was indeed intended to be a single request. As I was unable to submit it as a single request based on character limits of the online FOIA tool, I had to split it into two separate requests. I have no issue with merging these two requests and increasing the fee limit. Should the fee associated with processing my request exceed \$1000, please contact me, as I am willing to pay a higher but reasonable fee for my request.

In both of your letters you request clarification on the date range where I am seeking information. You can limit the date range to June 22, 2016 (the date the Frank R. Lautenberg Act was signed into law) to the present.

You further request information seeking what person(s) within EPA that may have records relevant to my request. While I do not know the specific person(s) within EPA, I believe it would include all EPA employees who are or were involved in the Asbestos Risk Evaluation performed by EPA as part of TSCA.

Your letter regarding FOIA request 4487 seeks clarification on part 8 of my FOIA request. For this part of my request, I am seeking information that is not published in the docket. By way of example, when checking the docket for EPA-HW-OPPT-2019-0501 just now, it notes that EPA has received 92 comments but has only posted 84 in the comments section. I am seeking the eight (8) comments that were submitted but not posted. Likewise for EPA-HQ-OPPT-2016-0736, there are 11,843 comments received but only 456 posted. While I recognize that for the latter docket, many mass mailings were received by EPA calling for the ban of asbestos. To the extent there are non-duplicative documents that were not posted, I would like EPA to provide those documents.

Finally, your letter regarding FOIA request 4487 seeking clarification on Part 9 of my FOIA request. Please narrow this specific request to all documents, drafts, publications, correspondence, and record of communications of any kind concerning (1) the formation/recruitment of the SACC, (2) the formation/recruitment of ad hoc members of the SACC, and (3) the drafting and publication of the EPA Asbestos Risk Evaluation. Further, this request can be limited in time from June 22, 2016 to the present and include the employees of EPA who are or were involved in the Asbestos Risk Evaluation performed by EPA as part of TSCA.

Please advise if the clarifications above satisfy your requests for more information in your August 26,

2020 letters.

Thank you for your assistance with this request and please contact me with any additional questions or concerns.

Alex

ALEX M. SPISAK
ATTORNEY AT LAW

McDermott Will & Emery LLP 275 Middlefield Road, Suite 100, Menlo Park, CA 94025

Tel +1 650 815 7436 **Mobile** +1 704 756 1079 **Fax** +1 650 469 1460

aspisak@mwe.com

Admitted in the Commonwealth of Massachusetts, State of Rhode Island, and District of Columbia
Registered Military Spouse Attorney in the State of California

[Biography](#) | [Website](#) | [vCard](#) | [Twitter](#) | [LinkedIn](#) | [Blog](#)

From: Spisak, Alex

Sent: Wednesday, August 26, 2020 9:56 AM

To: hill.kevinw@epa.gov

Subject: RE: EPA-2020-004487 Need More Information - Please Reply by Sept. 15

Mr. Hill,

I have received your two letters seeking clarification on my FOIA requests identified as EPA-2020-004486 and EPA-2020-004487. I am reviewing these letters now and will provide you with a response as soon as possible.

Alex

ALEX M. SPISAK
ATTORNEY AT LAW

McDermott Will & Emery LLP The McDermott Building, 500 North Capitol Street, NW, Washington, DC 20001-1531

Tel +1 202 756 8092 **Mobile** +1 704 756 1079 **Fax** +1 202 756 8087

aspisak@mwe.com

[Biography](#) | [Website](#) | [vCard](#) | [Twitter](#) | [LinkedIn](#) | [Blog](#)

From: no-reply@foiaonline.gov <no-reply@foiaonline.gov>

Sent: Wednesday, August 26, 2020 9:38 AM

To: Spisak, Alex <Aspisak@mwe.com>

Cc: hill.kevinw@epa.gov

Subject: EPA-2020-004487 Need More Information - Please Reply by Sept. 15

[External Email]

08/26/2020

Mr. Alex Spisak
500 N Capitol St. NW
Washington, DC, 20001

aspisak@mwe.com

Re: Freedom of Information Act Request - EPA-2020-004487

Hello,

Please see the attached letter and respond by September 15th. Your request has been placed on hold. We look forward to your prompt reply.

Sincerely,

Kevin W. Hill
National FOIA Office
U.S. Environmental Protection Agency

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